



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 27, 2022

MEMORANDUM ENDORSED

VIA ECF

Hon. Gregory H. Woods
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
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Re: *Meizhen Xiao v. Mayorkas, et al.*, 22 Civ. 706 (GHW)

Dear Judge Woods:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate two Applications to Register Permanent Residence or Adjust Status (Forms I-485). On behalf of the government, I write respectfully to request a sixty-day extension of time to respond to the complaint (*i.e.*, from June 14, 2022, to August 15, 2022).¹ In addition, I respectfully request that the initial pretrial conference presently scheduled for June 8, 2022, be rescheduled for a date during the week of August 29, 2022, or thereafter (with a corresponding extension of time for the joint letter). *See* ECF No. 8.

I respectfully request this extension and adjournment because USCIS recently received the plaintiff’s response to a Request for Evidence relating to one of the Forms I-485 and needs additional time to review the response and determine next steps regarding both Forms I-485. The next steps could include adjudicatory action that may render this matter moot. This is the government’s second request for an extension of the deadline to respond to the complaint and first request for an adjournment of the initial pretrial conference. The Court granted the first extension request. *See* ECF No. 18. I attempted to contact the plaintiff’s counsel by email and phone to obtain his consent to the requested extension and adjournment; however, I have been unable to reach him and therefore am unable to provide his position.

¹ Given that a sixty-day extension falls on Saturday, August 13, 2022, followed by a Sunday, the deadline would be extended to Monday, August 15, 2022. *See* Fed. R. Civ. P. 6(a)(1).

I thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

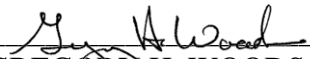
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cc: Counsel of record (via ECF)

Application granted. The deadline for the Government to answer or otherwise respond to Plaintiff's complaint is extended to August 15, 2022. In addition, the initial pretrial conference scheduled for June 8, 2022 is adjourned to August 30, 2022 at 3:00 p.m. The joint status letter and proposed case management plan and scheduling order described in the Court's February 3, 2022 order is due no later than August 23, 2022.

SO ORDERED.

Dated: May 27, 2022
New York, New York



GREGORY H. WOODS
United States District Judge